

AM2197  
LB 452  
DSH-01-11

AM2197  
LB 452  
DSH-01-11

AMENDMENTS TO LB 452

(Amendments to Standing Committee amendments, AM0404)

1           1.       Strike the original amendments and insert the  
2 following new amendment:

3           "1.       Strike the original sections and insert the  
4 following new sections:

5           'Section 1.   Section 60-302, Revised Statutes Supplement,  
6 2002, is amended to read:

7           60-302.     (1) (a) No motor vehicle, trailer, semitrailer,  
8 or cabin trailer, unless otherwise expressly provided, shall be  
9 operated or parked on the highways of this state unless the vehicle  
10 is registered in accordance with Chapter 60, article 3.

11           (b) (i)   There shall be a rebuttable presumption that any  
12 vehicle stored and kept more than thirty days in the state is being  
13 operated or parked on the highways of this state except for a  
14 vehicle brought into this state from another state, country, or  
15 place.

16           (ii)   For a vehicle brought into this state from another  
17 state, country, or place, there shall be a rebuttable presumption  
18 that any vehicle stored and kept more than sixty days is being  
19 operated or parked on the highways of this state if the vehicle is  
20 owned by a person who owns or operates a business in this state, is  
21 gainfully employed in this state, or resides in this state for  
22 ninety consecutive days.

23           (c)   Any vehicle operated or parked on the highways of

AM2197  
LB 452  
DSH-01-11

AM2197  
LB 452  
DSH-01-11

1 this state ~~and~~ shall be registered in accordance with Chapter 60,  
2 article 3:

3 (i) Within thirty days after ~~7 from~~ the date of title of  
4 the motor vehicle; or, if

5 (ii) If no transfer in ownership of the motor vehicle has  
6 occurred, from within thirty days after the expiration of the last  
7 registration period for which the motor vehicle was registered or  
8 within sixty days after first being brought to this state and  
9 required to be registered.

10 (d) Every owner of a vehicle required to be registered  
11 shall make application for registration to the county treasurer of  
12 the county in which the vehicle has situs as defined in section  
13 60-3001. The application shall be a copy of a certificate of title  
14 or, in the case of a renewal of a registration, the application  
15 shall be the previous registration period's certificate. A salvage  
16 branded certificate of title and a nontransferable certificate of  
17 title provided for in section 60-131 shall not be valid for  
18 registration purposes.

19 (2) An application for registration of a motor vehicle  
20 shall be accompanied by proof of financial responsibility or  
21 evidence of insurance covering the motor vehicle. Proof of  
22 financial responsibility shall be evidenced by a copy of proof of  
23 financial responsibility filed pursuant to subdivision (2), (3), or  
24 (4) of section 60-528 bearing the seal of the Department of Motor  
25 Vehicles. Evidence of insurance shall give the effective dates of  
26 the automobile liability policy, which dates shall be evidence that  
27 the coverage is in effect on and following the date of

AM2197  
LB 452  
DSH-01-11

AM2197  
LB 452  
DSH-01-11

1 registration, and shall designate, by explicit description or by  
2 appropriate reference, all motor vehicles covered. Evidence of  
3 insurance in the form of a certificate of insurance for fleet  
4 vehicles may include, as an appropriate reference, a designation  
5 that the insurance coverage is applicable to all vehicles owned by  
6 the named insured, or wording of similar effect, in lieu of an  
7 explicit description. Proof of financial responsibility also may  
8 be evidenced by (a) a check by the department or its agents of the  
9 motor vehicle insurance data base created under section 60-302.05  
10 or (b) any other automated or electronic means as prescribed or  
11 developed by the department.

12 (3) Any nonresident owner who desires to register a  
13 vehicle or vehicles in this state shall register in the county  
14 where the vehicle is domiciled or where the owner conducts a bona  
15 fide business.

16 (4) Each new application shall contain, in addition to  
17 other information as may be required by the department, the name  
18 and post office address of the applicant and a description of the  
19 vehicle, including the color, the manufacturer, the identification  
20 number, and the weight of the vehicle required by Chapter 60,  
21 article 3. With the application the applicant shall pay the proper  
22 registration fee as provided in sections 60-305.08 to 60-339 and  
23 shall state whether the vehicle is propelled by alternative fuel as  
24 defined in section 66-686 and, if alternative fuel, the type of  
25 fuel. The form shall also contain a notice that bulk fuel  
26 purchasers may be subject to federal excise tax liability. The  
27 department shall prescribe a form, containing the notice, for

AM2197  
LB 452  
DSH-01-11

AM2197  
LB 452  
DSH-01-11

1 supplying the information for vehicles to be registered. The  
2 county treasurer shall include the form in each mailing made  
3 pursuant to section 60-3003. The county treasurer or his or her  
4 agent shall notify the Motor Fuel Tax Enforcement and Collection  
5 Division of the Department of Revenue whenever a vehicle powered by  
6 an alternative fuel as defined in section 66-686 is registered.  
7 The notification shall include the name and address of the  
8 registrant, the date of registration, the type of motor vehicle  
9 registered, and the type of alternative fuel used to propel the  
10 vehicle as indicated on the registration application.

11 (5) The county treasurer or his or her agent shall  
12 collect, in addition to the registration fees, one dollar and fifty  
13 cents for each certificate issued and shall remit one dollar and  
14 fifty cents of each additional fee collected to the State Treasurer  
15 for credit to the Department of Motor Vehicles Cash Fund.

16 (6) The county treasurer or his or her agent shall  
17 collect, in addition to other registration fees, fifty cents for  
18 each certificate issued and shall remit the fee to the State  
19 Treasurer for credit to the Nebraska Emergency Medical System  
20 Operations Fund.

21 (7) The county treasurer or his or her agent shall  
22 collect, in addition to other registration fees, one dollar and  
23 fifty cents for each certificate issued and shall remit the fee to  
24 the State Treasurer for credit to the State Recreation Road Fund.

25 (8) ~~If a citation is issued to an owner or operator of a~~  
26 ~~vehicle for a violation of this section and the owner properly~~  
27 ~~registers and licenses the vehicle not in compliance and pays all~~

AM2197  
LB 452  
DSH-01-11

AM2197  
LB 452  
DSH-01-11

1 ~~taxes and fees due and the owner or operator provides proof of such~~  
2 ~~registration to the prosecuting attorney within ten days after the~~  
3 ~~issuance of the citation, no prosecution for the offense cited~~  
4 ~~shall occur.~~

5 ~~(9)~~ If a county board consolidates services under the  
6 office of a designated county official other than the county  
7 treasurer pursuant to section 23-186, the powers and duties of the  
8 county treasurer relating to registration under sections 60-301 to  
9 60-347 shall be performed by the designated county official.

10 ~~(10)~~ (9) A county treasurer or county official or his or  
11 her agent may accept credit cards, charge cards, debit cards, or  
12 electronic funds transfers as a means of payment for registration  
13 pursuant to section 13-609.

14 ~~(11)~~ (10) For the period January 1, 2003, through  
15 December 31, 2005, the county treasurer or his or her agent shall  
16 collect, in addition to the other registration fees, twenty-five  
17 cents for each certificate issued to pay for the costs of the motor  
18 vehicle insurance data base created under section 60-302.05 and  
19 shall remit such additional fee to the State Treasurer for credit  
20 to the Department of Motor Vehicles Cash Fund.

21 Sec. 2. Section 60-302.03, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23 60-302.03. Any person who operates or parks a motor  
24 vehicle, semitrailer, or cabin trailer on any highway, which  
25 vehicle has not been registered as required by section 60-302 or  
26 60-305.01, shall be subject to the penalty provided in section  
27 60-348, except that the court shall impose a five-hundred-dollar

AM2197  
LB 452  
DSH-01-11

AM2197  
LB 452  
DSH-01-11

1 fine for any violation involving a vehicle brought into this state  
2 from another state, country, or place. In addition, the  
3 prosecuting attorney may bring an action to recover a civil penalty  
4 of five hundred dollars for any violation involving a vehicle  
5 brought into this state from another state, country, or place. All  
6 penalties shall be remitted to the State Treasurer for use  
7 consistent with Article VII, section 5, of the Constitution of  
8 Nebraska.

9           A person who parks a motor vehicle on any highway, which  
10 vehicle has been properly registered in this state but such  
11 registration has expired, shall not be in violation of this section  
12 or section 60-302 or subject to the penalty provided in section  
13 60-348, unless thirty days have passed from the expiration of the  
14 prior registration.

15           Sec. 3. Section 60-305.01, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17           60-305.01. (1) A nonresident owner, except as provided  
18 in subsection (2) of this section, owning any foreign vehicle which  
19 has been properly registered in the state, country, or other place  
20 of which the owner is a resident, and which at all times, when  
21 operated in this state, has displayed upon it the number plate or  
22 plates issued for such vehicle in the place of residence of such  
23 owner, may operate or permit the operation of such vehicle within  
24 the state without registering such vehicle or paying any fees to  
25 this state.

26           (2) Any nonresident owner gainfully employed or present  
27 in the State of Nebraska, operating a passenger car in this state,

AM2197  
LB 452  
DSH-01-11

AM2197  
LB 452  
DSH-01-11

1 shall register such car in the same manner as a Nebraska resident,  
2 ~~after thirty days of continuous employment or presence in this~~  
3 ~~state as required by section 60-302,~~ unless the state of his or her  
4 legal residence grants immunity from such requirements to residents  
5 of this state operating a passenger car in that state. Any  
6 nonresident owner whose passenger car is operated in this state ~~for~~  
7 ~~thirty or more continuous days~~ shall register such car in the same  
8 manner as a Nebraska resident, as required by section 60-302 unless  
9 the state of his or her legal residence grants immunity from such  
10 requirements to residents of this state operating a passenger car  
11 in that state.

12 Sec. 4. Original sections 60-302.03 and 60-305.01,  
13 Reissue Revised Statutes of Nebraska, and section 60-302, Revised  
14 Statutes Supplement, 2002, are repealed.'.'.